

### **REMARKS**

This application has been carefully reviewed in light of the Office Action mailed April 8, 2004. Claims 1-24 are pending in the Application. Claims 1-11 have been withdrawn from consideration. Claims 19-24 stand rejected and Claims 12-18 stand objected to. Claim 12 has been amended, and Claims 14 and 15 have been canceled. Applicant respectfully requests reconsideration and favorable action of all pending claims in view of the following remarks.

#### **Specification**

The specification and claims of the patent application were objected to for reasons related to formatting. The objections are addressed by enclosing a newly-formatted substitute specification, including claims. Favorable action is requested.

#### **Claim Objections**

Claim 12 is objected to because of an informality. Claim 12 has been amended as suggested by the Examiner to address this informality. Favorable action is requested.

#### **Section 103 Rejections**

The Office Action rejects Claims 19-20 and 24 under 35 U.S.C. § 103(a) as being unpatentable by U.S. Patent 4,044,303 to Reindel ("*Reindel*") in view of U.S. Patent 4,985,621 to Aull, et al. ("*Aull*") and Claims 21-23 under 35 U.S.C. § 103(a) as being unpatentable by *Reindel* in view of *Aull*, and further in view of U.S. Patent 5,630,216 to McEwan ("*McEwan*"). Applicant respectfully traverses.

Claim 19 is allowable over the cited references at least because it recites a method of detecting the strength of an input signal that includes periodically shutting down and restarting an oscillator such that the duty cycle of the oscillator varies with the signal strength of the input signal. *Reindel*, on which the Office Action primarily relies, involves use of an oscillator whose frequency varies, but that does not have a duty cycle that varies with the signal strength of the input signal; rather, the frequency varies with the input signal. In particular, *Reindel* states "as the o.c. level of the incoming r.f. changes, the frequency of oscillation of circuit 14 also varies, the oscillator 14 increasing its frequency as the amplitude of the incoming r.f. increases."

In rejecting the claim, the Office Action refers to Col. 2, Ln. 49-Col. 3, Ln. 26, stating that *Reindel* discloses “shutting down and restarting the oscillator such that the duty cycle of the oscillator varies with the signal strength of the input signal.” But that portion of *Reindel* teaches that the frequency of the oscillator varies with the amplitude of an input signal — it does not teach that the duty cycle of the oscillator varies with the signal strength of the input signal. *See*, e.g., Col. 3, Lns. 19-26.

For at least this reason, Claim 19 is allowable, as are the claims depending therefrom, Claims 20-24. Reconsideration and favorable action is requested.

**Allowable Subject Matter**

Claims 12-18 were indicated to be allowable if written or amended to overcome the objections to Claim 12 due to an informality. As described above, Claim 12 has been amended as suggested by the Examiner. Thus, Claims 12, 13, and 16-18 are allowable. Claims 14 and 15 have been canceled. Favorable action is requested.

**CONCLUSION**

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicant respectfully requests allowance of all pending claims.

If the Examiner feels that prosecution of the present Application may be advanced in any way by a telephone conference, the Examiner is invited to contact the undersigned attorney at 214-953-6447.

Applicant does not believe that any fees are due. However, the Commissioner is hereby authorized to charge any required fees and credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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Enclosure: Exhibit A

Replacement specification, claims and abstract, presented in good quality paper and one and one-half spacing throughout.